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October 26, 1992

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: **Comments**
NM Docket No. 92-203
(Indiantown and Okeechobee, Florida)

Dear Ms. Searcy:

Transmitted herewith on behalf of Gross Communications Corporation, the licensee of WLOQ(FM), Winter Park, Florida, is an original and four copies of its Comments in the above referenced proceeding. These comments are respectfully directed to the Chief, Allocations Branch.

Sincerely,


John F. Garziglia

Enclosures

cc: John Spencer, Esquire
Donald E. Ward, Esquire

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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OCT 26 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
(Indiantown and Okeechobee, Florida))

MM Docket No. 92-203
RM-8057

TO: Chief, Allocations Branch

COMMENTS

Gross Communications Corporation, the licensee of WLOQ(FM), Winter Park, Florida, by its attorneys, pursuant to Sections 1.415 and 1.420 of the Commission's rules, hereby submits its comments in the above-referenced proceeding. In comment thereto, the following is submitted:

1. Okeechobee Broadcasters, Inc., the licensee of WOKC(FM), in its petition for rule making, specified a set of reference coordinates that were short-spaced with both a pending WLOQ(FM) application and a pending WSGL(FM) application. Okeechobee Broadcasters, Inc., on October 22, 1992 filed comments changing its requested reference coordinates for the proposed Indiantown, Florida change in city of license. Specifically, Okeechobee Broadcasters, Inc. now requests the coordinates of 27° 11' 55" North Latitude; 80° 21' 37" West Longitude. These coordinates are fully spaced to both the WLOQ(FM) and the WSGL(FM) applications. Gross Communications Corporation fully supports this change in reference coordinates.

2. Originally, Okeechobee Broadcasters, Inc. had requested that Channel 276C2 at Indiantown be allotted the reference

coordinates of 27° 12' 55" North Latitude; 80° 31' 50" West Longitude. As noted in paragraph 4 to the Notice of Proposed Rule Making, DA 92-1151, released September 4, 1992, those coordinates are short spaced to the pending applications of Gross Communications Corporation for WLOQ(FM) on Channel 276C3 at Winter Park, Florida (FCC File No. BPH-920527IE), and Sterling Communications Corp. for WSGL(FM) on Channel 276C3 at Naples, Florida (FCC File No. BPH-920527IG). The coordinates newly specified by Okeechobee Broadcasters, Inc. relieve that short spacing, and remove any impediment to either a grant of its requested city of license change, and a grant of the WLOQ(FM) and WSGL(FM) applications.

3. It is well settled that the Commission will, to the extent possible, attempt to accommodate applicants for transmitter sites by modifying a rule making proposal to specify an alternate site or alternate channel. See Greenville, Texas, 6 FCC Rcd 6048, 6049 (1991) (imposing a further site restriction of four kilometers upon a rule making proponent is in accord with prior precedent). Accordingly, even if Okeechobee Broadcasters, Inc. did not come forward and request a site that was fully spaced to the WLOQ(FM) application, the Commission would still be justified in granting the city of license change only upon the specification of fully spaced coordinates. In this case, however, that is not necessary as Okeechobee Broadcasters, Inc. has now specified reference coordinates that are fully spaced to the WLOQ(FM) application.

4. Accordingly, the Commission should expeditiously delete from its database the reference coordinates originally specified in the September 4, 1992 Notice of Proposed Rule Making, as the petitioner no longer requests the allocation at those coordinates. Rather, the Commission should amend its database for the proposed city of license change to Indiantown to the amended reference coordinates of Okeechobee Broadcasters, Inc., so that the application of WLOQ(FM) may be expeditiously granted without conflict with this rule making proposal.

WHEREFORE, for the reasons above, it is respectfully requested that the amended reference coordinates of Okeechobee Broadcasters, Inc. as specified in its comments filed October 22, 1992 be accepted, and the Commission's database be modified accordingly so as to allow the expeditious grant of the WLOQ(FM) application.

Respectfully submitted,

GROSS COMMUNICATIONS CORPORATION

By: 
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Its Attorney

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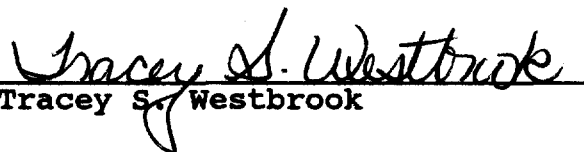
October 26, 1992

CERTIFICATE OF SERVICE

I, Tracey S. Westbrook, a secretary in the law firm of Pepper & Corazzini, do hereby certify that true copies of the foregoing "Comments" were sent this 26th day of October, 1992, by first-class United States mail, postage prepaid, to the following:

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Tracey S. Westbrook

* BY HAND